THE HON'BLE MR JUSTICE V.V.S.RAO

W.P.Nos 19775, 21949 and 23618_of 1997 and 15154 of_1999

Dated: 12-07-2006

W.P.No.19775 of 1997:
Between:
The Andhra Pradesh Cooperative Central Banks Employees' Association, Kurnool, and another.

..... PETITIONERS

AND
The Kurnool District Cooperative Central Bank Limited, Kurnool and two others.

.....RESPONDENTS

W.P.No.21949 of 1997:
Between:
The Andhra Pradesh Cooperative Central Bank Limited, Eluru, and another.

..... PETITIONERS

AND
The District Cooperative Central Bank Limited, Eluru and two others.

.....RESPONDENTS

W.P.No.23618 of 1997:
Between:
G. Prudhviraj Shaja and eighteen others.

..... PETITIONERS

AND
The District Cooperative Central Bank Limited, Eluru and two others.

....RESPONDENTS

W.P.No.15154 of 1999:
Between:
Ch. Nagesh Kumar and eight others.

..... PETITIONERS

AND
The District Cooperative Central Bank Limited, Eluru and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

W.P.Nos 19775, 21949 and 23618_of 1997 and 15154 of_1999

COMMON ORDER:

Petitioners are the Andhra Pradesh Cooperative Central Banks Employees Associations, and employees of District Cooperative Central Banks (DCCBs) of different districts. They seek a writ of Mandamus directing the first respondent, DCCB, to refix the new scales of pay as per the settlement dated 15-06-1997 between the petitioners-associations and the Andhra Pradesh Cooperative Banks' Association on the basis of scales of pay fixed in the proceedings dated 11-08-1994. Therefore, all these matters are being disposed of by this common order.

The individual petitioners were initially appointed in various categories in the erstwhile Primary Agricultural Development Banks (PADBs). The services of employees of PADBs were merged with DCCBs as per the procedure contemplated under Rule 73 of the Andhra Pradesh Cooperative Societies Rules, 1964 (the Rules, for brevity) as amended by the Andhra Pradesh Cooperative Laws (Amendment) Act, 1987. The said Rule was questioned in W.P.No.13389 of 1990 and batch, and a Division Bench of this Court upheld the validity of the Rule. In the meanwhile the Commissioner for Cooperation and Registrar of Cooperative Societies issued necessary orders to extend the benefit of pay scales of employees of DCCBs to all the erstwhile employees of PADBs with effect from
01-01-1993. This was, according to the petitioners, in accordance with the Rule 73 of the Rules. Thereafter the petitioners-associations entered into a settlement on 15-06-1997 with the Andhra Pradesh Cooperative Banks Association, second respondent, under which special increments for higher qualifications were agreed to be paid by all the employer Banks. Even thereafter it is alleged that the same was not extended by various DCCBs and hence these writ petitions were filed. Though the writ petitions were filed in 1997, no counter-affidavit is filed by DCCBs or by the Government.

Sri Hari Sridhar representing Sri Krovvidi Narasimham, learned counsel for the petitioners, submits that most of the petitioners have been extended the benefit of refixation in the new scales of pay as per the settlement dated 15-06-1997. He, however, submits that some of them were not extended the benefit.

After giving anxious consideration to the matter, this Court is convinced that as most of the employees were given the benefit of refixation in the new scales of pay as per the settlement dated
15-06-1997, further adjudication is not necessary. In case any of the petitioners in these writ petitions were not extended such benefit, they may make representation to DCCB concerned for seeking extension of similar benefit as was given to other employees.

The writ petitions are accordingly disposed of. No costs.

V.V.S.RAO, J

12th July, 2006
ghn